

CHILDREN'S VOICES

An Electronic Newsletter of the
Iowa Child Advocacy Board

Friday, February 10, 2006



VOLUNTEER TRAININGS

Here are the trainings that are currently scheduled for Child Advocacy Board volunteers:

February 9-11: Waterloo.
March 2-4: Council Bluffs.
March 30-April 1: Ankeny.
April 20-22: Cedar Rapids.
May 4-6: Ottumwa.
May 18-20: Sioux City.

LEGISLATIVE UPDATE



The following bills affecting children have been introduced since our last issue:

HF 2235 – GUARDIAN AD LITEM VISITS: Requires a guardian ad litem to visit the home of the child while the child is present at least once every 90 days.

Allows the court to appoint a special advocate (CASA) to make the visit in lieu of the guardian ad litem.

HF 2255 – CHILD CARE: Requires the DHS to notify the parents of children at an unregistered child care home if the DHS determines that child abuse has occurred at the facility.

HSB 643 – CHILD SERVICES: Allows DHS to make exceptions to the requirement for foster parent training if the applicant has been through training in another state. Allows DHS to make other changes to the training requirements. Makes it child abuse for a person with children to live with a sex offender, unless the person marries the offender or the offender is a child for whom the person has responsibility. Creates a Preparation for Adult Living program for 18 and 19 year-olds who have been in foster care.

SF 2164 – GROUP FOSTER BEDS: Strikes the cap on the number of beds available for group foster care. Requires reasonable efforts to be made to prevent the permanent removal of a child, unless the court determines that further reasonable efforts are not required.

SF 2165 – OUT OF HOME PLACEMENTS: Uses family team meetings as part of the efforts to unify and to preserve a family during the period of an out-of-home placement for a child. Defines the meetings as working with a family to eliminate the need for the placement of a child, whether or not the child is adjudicated as a CINA.

HF 2301 – ABUSE REPORTER TRAINING: Requires that training for mandatory reporters of child and domestic abuse have training to identify domestic abuse.

HF 2304 – TOLEDO COMMITMENTS: Restricts commitments at Toledo to girls.

HF 2307 – DRUG COURTS: Appropriates \$1.7 million from the Tobacco Trust to drug courts.

SF 2178 – KIDS E-MAIL LIST: Creates a no-contact order for e-mail to children. Requires the Attorney General to administer the list. Requires that someone who is advertising or selling a product that a minor is prohibited from purchasing or viewing is required to check the list. Authorizes the AG to charge a fee to users of the list. Establishes civil penalties of up to \$5,000 a message or \$250,000 a day.

SSB 3098 – PORNOGRAPHY SUITS: Allows the victim of sexual abuse to sue the producer, seller or distributor of pornography. Requires that the material be obscene and the proximate cause of the abuse for the victim to collect. Sets a six-year statute of limitations for bringing such actions and makes definitions. Allows damages and injunctive relief, and awards for court costs, witness fees and attorney fees.

SSB 3099 – DRUG COURTS: Requires each judicial district to establish a drug court. Requires that the court be established through a written agreement with the majority of district judges and the county attorney. Establishes local advisory commissions. Establishes a state drug court advisory commission to develop state drug courts.



The following article appeared in the Des Moines Register this past Sunday:

By age 17, Chakakhan Marshall had three children and a criminal conviction for theft. When it was time to serve her prison sentence, her children ended up in foster care with strangers, although she had hoped state child welfare workers would place them with one of her relatives. All three boys have now been adopted by strangers; one has disappeared from her life entirely. "I'm not minimizing my behavior. I made mistakes," said Marshall, now 22, of Urbandale. "But that doesn't mean I'm a bad mom and shouldn't have my kids. There was no shape or type or form of abuse, neglect, nothing. And I had over five people in my family that could've taken them until I had a stable home."

After hearing stories such as this one, and hoping to prevent emotional trauma to children and adults alike, the Iowa Child Advocacy Board and Drake University's Middleton Center for Children's Rights had an idea. They want to organize volunteers who can quickly locate relatives or friends to care for children of jailbound Des Moines residents. The proposal is designed to reduce Department of Human Services involvement, said Jerry Foxhoven, administrator for the advocacy board. "If families can be the solution to another family member's problems, the state doesn't need to be involved," he said. "The state can focus on those cases where there isn't another relative to take over." Fewer children would enter the child welfare system solely because of a parent's arrest,

he said. And if the situation ends with the child being adopted, the child is more likely to be adopted by relatives, or someone trusted by the family, Foxhoven said. "I think this could blow the lid off this and make us so child-friendly," he said. "I think we're going to see a dramatic change in Polk County in the near future, and then we'll say to everyone in the state, 'Let's do this.'"

Foxhoven, an attorney, thinks it's no different than when authorities notify a person's lawyer that charges will be filed against a client. The authorities ask that the client report to the courthouse or police station the next day. If the client has children, he or she has a day to make arrangements for them – without the DHS stepping in, he said. The proposal calls for the team of volunteers to also help find relatives or friends to care for a child before a non-emergency removal, such as in a case where the family has been involved with DHS for a time period and the parent tested positive for drugs. The process would not apply if a child is in imminent danger, Foxhoven said. A DHS spokesman, Roger Munns, said the agency is interested in the idea and is trying to work out how to best use trained volunteers. A follow-up meeting with the advocacy board will be set.

Marshall, who is now attending college, applauds the idea. At age 15, Marshall, then the mother of an infant and a 1-year-old, was charged with robbery for resisting arrest while shoplifting about \$500 in clothing from Merle Hay Mall in September 2000. A judge terminated her rights to her children during her three years in the state prison at Mitchellville. Marshall has seen her two youngest sons, Leon Brown, 5, and Montaz Brown, 4, since she got out of prison, but not her oldest, Adisa Ako Marshall, 6. She has no idea how to contact him, she said.

How it would work during an arrest:

- If a single parent is arrested, a member of a team of trained volunteers serving as "child advocates" would call a relative or friend, designated by the parent, to care for the children. The aim is to keep the kids out of foster care with strangers.
- The volunteers would be on-call on designated dates and carry a dedicated cell phone. Des Moines police would be alerted to the number.
- The friend or relative would pick up the children at the scene or at a designated safe area. The child advocate would record the friend or relative's information from a picture ID, and note date of birth, Social Security number, address and telephone number.
- Within 24 hours, the child advocate would visit the children in the home of the temporary custodian.
- The procedure is designed to prevent DHS involvement, unless the children

are at risk. The goal is that fewer families would become engaged in the child welfare system solely because of an arrest. If the situation ends with the child being adopted, he or she will more likely be adopted by relatives, or someone trusted by the family.

How it would work before a planned removal:

- If it's safe to let some time pass before children must be removed from the home, a meeting would be held at the DHS offices in Des Moines on any weekday at 4 p.m.
- The parents would be told that the children will be removed and that the decision is not up for debate. The purpose would be to identify a relative or friend of the family to care for the children.
- The meeting would include the child advocate volunteer, as well as the DHS, the county attorney's office, the custodial parents, and relatives designated by the parents.
- The custodial parent would provide a copy of any divorce decree, which can indicate if there's another responsible parent who could take the children.
- A date, time and place for removing the children would be scheduled. If no friend or relative is available, the children would be placed in foster care.



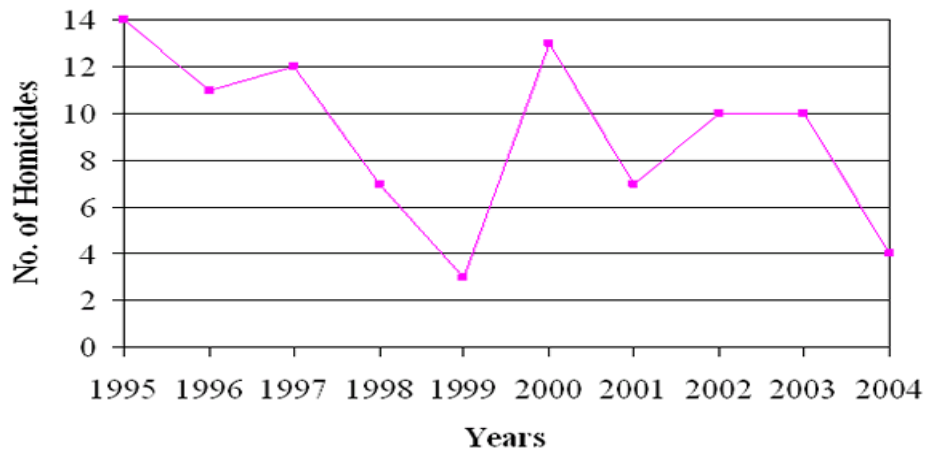
Prevent Child Abuse Iowa (on its website) has just provided some very useful information, charts and graphs concerning homicides of young children in Iowa. The following comes directly from Prevent Child Abuse Iowa:

Prevent Child Abuse Iowa has reviewed the ten years of annual Child Death Review Team (CDRT) reports to see what they reveal about child deaths resulting from *homicide* – defined by the team as “a death caused at the hands of another individual but not necessarily with the intent to kill.” PCA Iowa’s examination has focused on homicides of children who were *young* – i.e., less than seven years old.

According to the CDRT reports, 91 Iowa young children were homicide victims from 1995 through 2004 – an average of approximately 9 each year. The number of deaths has varied widely from year-to-year, with no discernible pattern. Comparing the number of homicides from year-to-year, the year 1995 had the highest number of young child homicides (14), and 2000 had the second highest figure (13). The year 1999 had the lowest number of homicides (3), and 2004 had the second lowest figure (4).

The CDRT reports list how many children were homicide victims in each of three age categories: one month or younger, one month to one year, and older than one year. From 1995 through 2004, 11 homicide victims were one month old or younger, 33 were one month to one year old, and the remaining 47 victims were one through six years old.

Homicides of Young Children in Iowa, 1995-2004



The CDRT reports the relationship of the perpetrators of homicides to their child victims. Thirty biological fathers were responsible for young child homicides, as were 24 who were the mother's male paramours. Those who were next most common as perpetrators were biological mothers (18 homicides) and sitters or child care providers (8 homicides).

Perpetrators of Young Child Homicides, 1995-2004

Perpetrators	No. of Victims
Father	30
Mother's male paramour	24
Mother	18
Sitter/child care provider	8

Stepfather	2
Other relative	2
Stepmother	1
Foster father	1
Adoptive mother	1
Friend	1
Undetermined	4



“Wish not so much to live long as to live well.” -- Benjamin Franklin